Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection or morrisation unless it displays a valid OMB control number.

## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER BUR920020072US1

U.S. APPLICATION NO. **GFR 1.5)** CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/US02/40869 19 December 2002 19 December 2002 TITLE OF INVENTION Methods of Forming Structure and Spacer and Related FINFET APPLICANT(S) FOR DO/EO/US Fried, et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. The US has been elected (Article 31). X A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). X An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). An English language translation of the annexes of the International Preliminary Examination Report under PCT 10. l Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: An Information Disclosure Statement under 37 CFR 1.97 and 1.98. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. A preliminary amendment. An Application Data Sheet under 37 CFR 1.76. A substitute specification. A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4). A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents P.O. Roy 1450, Alexandria, VA 22313-1450.

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S-Palendary Office: US. DEPARTMENT OF COMPERCE

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| The following fees have been submitted  1. [3] Basic national fee   | U.S. APPLICATION   | ON NO. (if know   | 537 CFR 1          | 1 PCT/US02/40869                 | PPLICATION NO.  | ATTORNEY'S DO BUR920020072US1 |              |  |
|---|--|---|--------------------|----------------------------------|-----------------|-------------------------------|--------------|--|
| 21. Seasic national fee   |  |   |                    |                                  | <b></b>         |                               |              |  |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Articles 3(1)(4)   | <u> </u>   | •   |                    |                                  | \$300           | •                             | THO GGE GREE |  |
| Search Re( 37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an international Searching Authorny   | If International pre<br>PCT Article 33(  | liminary examin   | \$ 200.00          |                                  |                 |                               |              |  |
| Additional five for specification and drawings filed in paper over 100 sheets (excluding The fee is \$250 for each additional 50 or fraction sequence listing or computer program listing field in an electronic medium).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  Total Sheets   | Search fee (37 CF<br>Internation<br>International Searc  | R 1.445(a)(2)) h<br>al Searching Au<br>th Report prepa              | \$ 500.00          |                                  |                 |                               |              |  |
| Sequence listing or computer program listing filed in an electronic medium). The fee is \$259 for each additional 50 sheets of page or fraction thereof.  Total Sheets  Number of each additional 50 sheets of page or fraction in the each additional 50 sheets of \$130.00 for furnishing the English translation later than 30 months from the each set of \$130.00 for furnishing the English translation later than 30 months from the each set of \$130.00 for furnishing the English translation later than 30 months from the each set of \$10.00 for furnishing the English translation later than 30 months from the each set of \$10.00 for furnishing the English translation later than 30 months from the each set of \$10.00 for furnishi | Т  | OTAL OF 21, 2   | 2 and 23 =         |                                  |                 | \$                            |              |  |
| Surcharge of \$130.00 for furnishing the cath or dectaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  CLAIMS NUMBER FILED NUMBER EXTRA RATE \$  Total claims 21 - 20 = 1  | Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). |   |                    |                                  |                 |                               |              |  |
| Surcharge of \$130.00 for furnishing the cath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  CLAIMS NUMBER FILED NUMBER EXTRA RATE \$  Total claims 21 - 20 = 1  | Total Sheets   | Extra Sheets  |                    |                                  | RATE            |                               |              |  |
| claimed priority date (37 CFR 1.492(n)).  CLAIMS  NUMBER FILED  NUMBER EXTRA  RATE  \$  Total claims  21  | 11 - 100 =   | /50 =   |                    |                                  | x \$250         | \$                            |              |  |
| Total claims 21 -20 = 1   |  |   |                    | laration later than 30 months fi | om the earliest | \$                            |              |  |
| Independent claims 3 -3 = x \$200 S  MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360 S  TOTAL OF ABOVE CALCULATIONS = S  Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.  SUBTOTAL = S  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = S  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + TOTAL FEES ENCLOSED = \$1,050.00  A dwount to be refunded: \$ remunded: \$ mount to be charged to a charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 A duplicate copy of this sheet is enclosed.  SEND ALL CORRESPONDENCE TO:  SIGNATURE  SIGNATU | CLAIMS   | NUME  | ER FILED           | NUMBER EXTRA                     | RATE            | \$                            | <u> </u>     |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  TOTAL OF ABOVE CALCULATIONS = \$  Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.  SUBTOTAL = \$  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest slaimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = \$  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  TOTAL FEES ENCLOSED = \$1,050.00  Amount to be refunded: \$  Amount to be charged:  Aduplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to hard an | Total claims   | 21  | - 20 =             | 1                                | x \$ 50         | \$ 50.00                      |              |  |
| TOTAL OF ABOVE CALCULATIONS = \$  Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.  SUBTOTAL = \$  Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = \$  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$ 1,050.00  Amount to be refunded: \$ amount to be refunded: \$ amount to be charged:  A check in the amount of \$  | Independent claim  | 3   | - 3 =              |                                  | × \$200         | \$                            |              |  |
| Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.  SUBTOTAL = \$  Processing fee of \$130,00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = \$  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  TOTAL FEES ENCLOSED = \$ 1,050.00  Amount to be refunded: \$ amount to be charged: \$ amount to be charged: \$ a. A check in the amount of \$  | MULTIPLE DEPEN   | IDENT CLAIM(  | S) (if applicable) |                                  | + \$360         | \$                            |              |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(ii)).  TOTAL NATIONAL FEE = \$  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |  |   |                    |                                  |                 | \$                            |              |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = \$  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +   TOTAL FEES ENCLOSED = \$1,050.00  Amount to be refunded: Amount to be charged to \$  Amount to be charged:  A check in the amount of \$  | Applicant clair  | ns small entity s   | tatus. See 37 CF   | R 1.27. Fees above are reduc     | ed by 1/2.      |                               |              |  |
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| a. A check in the amount of \$  |  |   |                    | TOTAL F                          | EES ENCLOSED =  | \$ 1,050.00                   |              |  |
| a. A check in the amount of \$  |  |   |                    |                                  | 1               |                               | \$           |  |
| b. X Please charge my Deposit Account No. 09-0458 in the amount of \$1,050.00 to cover the above fees.  A duplicate copy of this sheet is enclosed.  c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458. A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Customer: 32074  IBM Corporation 2070 Route 52  Hopewell Junction, NY 12533  Steve Capella  NAME  33,086   |  |   |                    |                                  |                 |                               | \$           |  |
| A duplicate copy of this sheet is enclosed.  c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0458 . A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Customer: 32074  IEM Corporation 2070 Route 52  Hopewell Junction, NY 12533  Steve Capella  NAME  33,086  | a. A check   | a. A check in the amount of \$ to cover the above fees is enclosed. |                    |                                  |                 |                               |              |  |
| Account No. 09-0458 . A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Customer: 32074  IBM Corporation 2070 Route 52  Hopewell Junction, NY 12533  Steve Capella  NAME  33,086  | The date sharing my Deposit recount no. os o 150 in the amount of \$ 17050.00 to cover the above rees.   |   |                    |                                  |                 |                               |              |  |
| d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Customer: 32074  IBM Corporation 2070 Route 52  Hopewell Junction, NY 12533  845-894-3669  Steve Capella  NAME  33,086   |  |   |                    |                                  |                 |                               |              |  |
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| SEND ALL CORRESPONDENCE TO:  Customer: 32074 IBM Corporation 2070 Route 52 Hopewell Junction, NY 12533 845-894-3669  Steve Capella NAME 33,086  | NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed                               |   |                    |                                  |                 |                               |              |  |
| 2070 Route 52 Hopewell Junction, NY 12533 845-894-3669  Steve Capella NAME 33,086   | SEND ALL CORRESPONDENCE TO: Customer: 32074  |   |                    |                                  |                 |                               |              |  |
| 845-894-3669 NAME<br>33,086   | 2070 Route 52  |   |                    |                                  |                 |                               |              |  |
|   |  | cion, NY 12   | 533                |                                  |                 |                               |              |  |
|   |  |   |                    |                                  |                 |                               |              |  |

| CERTIFICATE OF Applicant(s): Fried, et a | MAILING BY "EXPRESS I<br>i.             | MAIL" (37 CFR 1.10)                                 | Docket No. 3891             |
|--|---|---|-----------------------------|
| Serial No.                               | Filing Date<br>6/13/05                  | Examiner  | Group Art Unit              |
| Invention: Methods of F                  | Forming Structure and Spacer and        | Related FINFET                                      |                             |
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| I hereby certify that the                | s National Phase Chapter II - P         | atent Application (Identify type of correspondence) |                             |
| is being deposited with                  | n the United States Postal Servi        |   | to Addressee" service under |
|  | velope addressed to: The Assis          |   |                             |
|  |   | tant Commissioner for Paten                         | is, washington, D.C. 2023   |
| on June 14.                              |   |   |                             |
|  | ·                                       | Nicole Ba   | rrese                       |
|  | *************************************** | (Typed or Printed Name of Person                    |                             |
| •  |   | Nicol &   | at rese                     |
| •  |   | (Signature of Person Mailing                        | g Correspondence)           |
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